

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kumar et al.

Title: ELECTROCHEMILUMINESCENCE FLOW CELL AND
FLOW CELL COMPONENTS

Appl. No.: 10/600,164

Filing Date: 06/19/2003

Examiner: Neil N. Turk

Art Unit: 1797

Confirmation No.: 9722

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.56

Submitted herewith on Form PTO/SB/08 is a listing of documents known to the Applicants in order to comply with the Applicants' duty of disclosure pursuant to 37 C.F.R. § 1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 C.F.R. § 1.97 and § 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 C.F.R. § 1.56(b). The Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 C.F.R. § 1.97(d), before payment of the issue fee.

RELEVANCE OF EACH DOCUMENT

Certain documents listed on the attached Form PTO/SB/08 were cited as being relevant during the prosecution of the corresponding European Application. A copy of the Supplementary European Search Report is attached setting forth the portion of each document considered relevant by the examiner. An English-language counterpart of the foreign-language document has not been provided. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 C.F.R. § 1.98 and M.P.E.P. § 609).

The Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with M.P.E.P. § 609.

STATEMENT

The undersigned hereby states in accordance with 37 C.F.R. § 1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this submission under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date December 22, 2008

By /John M. Lazarus/

FOLEY & LARDNER LLP
Customer Number: 26371
Telephone: (414) 297-5591
Facsimile: (414) 297-4900

John M. Lazarus
Attorney for the Applicants
Registration No. 48,367